

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KATHLEEN O'HARA,

Docket No: 18-cv-08502 (KMK)

Plaintiff,

-against-

BOARD OF COOPERATIVE EDUCATIONAL
SERVICES, SOUTHERN WESTCHESTER;
HAROLD COLES, JAMES GRATTO, DAVID
PULLEY, LISA SCHUCHMAN, and JOHN
KNIGHT, in their official and individual capacities,

Defendants.
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**DECLARATION OF KAREN C.
RUDNICKI IN SUPPORT OF
MOTION TO DISMISS SECOND
AMENDED COMPLAINT**

KAREN C. RUDNICKI, ESQ., an attorney duly admitted to practice law in the United States District Court for the Southern District of New York, hereby deposes and says subject to the penalties of perjury:

1. I am an associate at the law firm of SILVERMAN & ASSOCIATES, attorneys for the defendants. I am fully familiar with the facts and circumstances of this matter based on my review of the file maintained by my office in defense of this litigation.

2. This Declaration is submitted in support of the defendants' Motion pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, seeking dismissal of the plaintiff's Second Amended Complaint with prejudice based upon untimeliness, and for failure to state a claim.

3. As is more fully discussed in the accompanying Memorandum of Law, the plaintiff's claims alleged in the Second Amended Complaint should be dismissed with prejudice as a matter of law because the plaintiff has failed to plausibly and adequately plead any violation of the Fourteenth Amendment, Title VII, or the Americans with Disabilities Act.

4. In support of the instant motion, annexed hereto is the following exhibit:

a. Exhibit “A” – Plaintiff’s Amended Complaint.

Dated: White Plains, New York
June 28, 2019

Karen Rudnicki

KAREN C. RUDNICKI